



**MINUTES
SPECIAL COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Wednesday, June 21, 2016 at 7:00pm**

1 Call to Order

Mayor David Coviello called the meeting to order at 7:20pm.

2 Roll Call

Mayor David Coviello - present

Vice Mayor Roxanna Ross - present

Commissioner Bob Anderson - present

Commissioner Fred Jonas - present

Commissioner Barbara Watts - absent

Present from staff were:

Interim Village Manager Maria C. Camara

Village Attorney John Hearn

3 Pledge of Allegiance

4 Additions, Deletions or Withdrawals to the Agenda

5 Public Comments

Art Pyle: Speaking on behalf of a neighbor. Front yard has two drainfields/septic tanks and unable to put in a driveway. Need ability to request a variance.

Richard Strassberg: Have viewed prior meeting videos and attended board meetings. This ordinance has made it much more complicated. There are two issues: In section 5.6.8, the Miami Dade County manual is listed, but it does not exist. Instead we are relying on Building Official and P&Z Board; on the indemnification form, previously not available, but now it is. There is a drawing for driveways available on website, but not referenced in the ordinance. Refers to a 5' setback, but form is outdated and should not be relied on. Need to make the code clearer.

JDP Construction, contractor representing property owner at 940 NE 108th Street: Owner cannot afford to put parking on the property. Many other properties have parking on the swales. How can this be done if can afford to?

Lisa McGee: Have lived in Village for 25 years. Disturbing to get the notice. While I do like restrictions, what if people cannot afford? Don't want to be forced to do something that I don't feel is necessary. Who mandated this? Am I going to have fines and liens? Revisit and extend the deadline since it is so confusing.

Cristina Lane - Have two cement slabs filled with rocks. Who got the letters? For so many years it was OK? Looks to be arbitrary. An imposition. Rather spend money on other things such as fencing. May need to spend \$1,500 to \$2,000 for this. Would rather use in a different way. Disagree with it and the timeline. Request an extension be given in order to give property owners the ability to find a resolution and find the money.

Rafael Ciordia - Echo the sentiments already expressed. Have a ribbon driveway and wanted to re-do it. But then an unintended consequence. The asphalt driveway was not in compliance with the 60/40 rule and has to also be re-done. Feels this is a capital improvement on the swale you are requiring in order to allow me to improve an area in our property. Will keep ribbon driveway as is for now.

Marco Lijeron - Confirms that the walkway can be allowed to go up to the edge of road, and that an indemnification would be required.

Macdonald Kennedy - If you push through requiring a driveway now, with the code as it is today, an entire front yard can be covered with pervious pavers.

Eddie Bridges - With gravel, in time it will allow grass to grow through if not properly maintained.

6 Old Business

6.a Review of Ordinance 2015-04 regarding driveways.

Commissioner Anderson: Provided pictures of several properties. Suggests to give back to Code Review to work through and then return to the Commission.

Mayor Coviello: Changes are intended to improve aesthetics and increase property values. The core issues are that parking on the grass be not allowed; whether parking on the swale is allowed; how to handle front yards that cannot accommodate a driveway; allowable materials.

Vice Mayor Ross: First thing that we need to decide is what is the purpose of the right of way. How will affect neighboring properties? Should there be different rules for duplex' and unique properties? Consideration of impervious and pervious, and consideration of green space in that calculation. What impact will there be to allow parking on the swales.

Commissioner Jonas: Prefer to have only pervious materials on swales.

After discussion, there was consensus to direct Attorney Hearn to draft an ordinance for first reading at the July 12th meeting with the following:

- > If currently a swale is being used for parking and there is a parking surface also provided on the property, that swale area can remain and will be grandfathered.
- > If currently a swale is being used for parking and there is no parking surface on the property, the swale area can remain and will be grandfathered, but the property owner must also provide for parking on the property. If there is a condition that exists that prohibits putting sufficient parking on the property, an administrative variance process is provided.
- > No new developments of the swale area for parking if it does not exist today.
- > If parking does not exist on the property, new parking surface cannot exceed 40% of the total area. At least 60% of the front area must be landscaped.
- > Walkways must be of the same material/design as the driveway surface.
- > Provide for an Administrative Variance process.
- > Property owners will need to come into compliance within six (6) months after adoption of the new ordinance, both to obtain a permit and complete the work.

At the July 12th meeting after the first reading of the ordinance, the Commission will discussion the timeline for compliance and whether different provisions will be provided based on what needs to be corrected.

7 New Business

7.a Waiver of rental fees for the Villagers, Inc.

Vice Mayor Ross makes a motion to waive the rental fees for the Log Cabin for the Villagers, Inc. for September 23, 2016, and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, and Commissioner Jonas.

Interim Manager Camara asked the Commission to consider what questions will be asked of the three final candidates for the Village Manager position at the July 12th Commission Meeting. The questions suggested by the Resident Review Committee will be provided to the Commission for consideration, then their selection will be forwarded prior to the meeting.

8 Announcements

Saturday, June 25th - Quarterly Saturday Trash Pick Up
Tuesday, June 28th - Recreation Advisory Board at 6:30pm
Wednesday, June 29th - Special Commission Meeting at 6:30pm
Monday, July 4th - All Village Departments are closed.
Tuesday, July 5th - Planning & Zoning Board at 6:30pm
Monday, July 11th - Code Compliance Board at 7:00pm

The next regular Commission Meeting is Tuesday, July 12, 2016, at 7:00pm.

9 Adjournment

The meeting was adjourned at 9:50pm.

Commission approved on July 12, 2016.

Attest:



David Coviello, Mayor



Maria Camara, Village Clerk